

### **REMARKS**

In the Office Action, the Examiner noted that the claims 1-29 are pending in the application and that the claims 1-29 are rejected over a prior art reference. By this response, claims 1, 10, 17, 22 and 26 have been amended. Thus, claims 1-29 remain pending in the application. Applicant respectfully traverses the rejections for the reasons indicated below.

#### **Rejection Under 35 USC Section 101**

Claims 1, 21, 23,27, 28,30, 33-36 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. While the Applicant is of the opinion that the claims are in fact definite, Applicant has amended the claims to further emphasize the claimed invention as suggested by the Examiner.

Accordingly, Applicants respectfully submits that the claims satisfy the requirements under 35 U.S.C. §112, second paragraph. Withdrawal of this rejection is respectfully requested.

#### **Rejection Under 35 USC Section 101**

Claims 33-36 are rejected under 35 U.S.C. 101 because the claimed recitation of a use, without setting forth any steps involved in the process, results in an improper definition of a process. Applicant disagrees with this rejection, but has amended these claims to place them in better form.

Accordingly, Applicants respectfully submits that the claims satisfy the requirements under 35 U.S.C. §101. Withdrawal of this rejection is respectfully requested.

**Rejection Under 35 USC Section 102 and 103**

Claims 1-13, 15-19, 21-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Joao, U.S. Patent No. 5,917,405. Claims 14, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joao, U.S. Patent No. 5,917,405, in view of Price, U.S. Patent No. 6,052,068.

Joao discloses a control apparatus for vehicles wherein a transmitter that is remote from the vehicle, transmits signals over a communication system to a vehicle. A first control device transmits a first signal for one of activating, deactivating, enabling, and disabling a vehicle device. The first control device is responsive to a second signal, wherein the second signal is transmitted from a second control device. The second control device is located at a location, which is remote from the vehicle. The second control device is responsive to a third signal, wherein the third signal is transmitted from a third control device. The third control device is located at a location, which is remote from the vehicle and remote from the second control device.

Price describes a system for identification of mobile vehicle using a transmitted interrogation signal. The system has several tags on the vehicle with a memory and transceiver for receiving the interrogation signal and sending a response signal with vehicle identification data stored in memory.

Accordingly, neither Joao nor Price relate to the currently claimed combination.

Specifically, the Examiner states that:

The CPU also has a ROM and RAM for storing data which is utilized by the apparatus (Col. 20, lines 65-67), **which meets the limitation** of at least one processor responsively connectable to at least one memory and implementing a plurality of interface protocols for interfacing and communicating with a plurality of external devices, at least one memory, operatively connected to said at least one sensory device, and located in or on the vehicle or the equipment, storing a plurality of interface protocols for interfacing and communicating, said memory equipped with at least one of an application specific backup device and a redundant memory function recording application specific automated and remote control command strings to the peripheral devices that perform automated and remote control functions. The transmitter that is remote from the vehicle can be a cellular telephone (Col. 15, lines 27-28), which meets the limitation of a plurality of external devices supported by at least one interface for C.O.T.S. products and accessories, the plurality of external devices interfacing with said at least one processor via at least one of the plurality of interface protocols

Applicant disagrees. Specifically, Claim 1 recites, in combination:

at least one sensory device monitoring and reporting on data including command function results of at least one of peripheral devices and equipment with application specific data and optional application specific geographic coordinates corresponding to the application specific data;

at least one memory, operatively connected to said at least one sensory device, and located in or on the vehicle or the equipment, **storing a plurality of interface protocols for interfacing and communicating;**

**at least one of an application specific backup device** and a redundant memory function recording application specific automated and remote control command strings to the peripheral devices that perform automated and remote control functions with respect to said at least one memory;

at least one processor responsively connectable to said at least one memory, **and implementing the plurality of interface protocols** for interfacing and communicating with a plurality of external devices;

the plurality of external devices supported by the plurality of interface protocols for C.O.T.S. products and accessories, **the plurality of external devices interfacing with said at least one processor via the plurality of interface protocols,** including at least one of: pagers, wireless phones, radio frequency equipment, locating equipment

systems, cordless phones, laptops, one-way communication device, two-way communication device, and computer organizers, at least one of said plurality of external devices including a report back capability to report the data collected by said at least one sensory device to at least one remote location including the application specific data that is stored in the PFN; and

at least one two-way communication system including at least one security device or routine to condition a signal with at least one security protocol including at least one encryption technology to securely interface between at least one of the plurality of external devices and said at least one processor.

Niether Joao nor Price relate to the use of a plurality of communication frequencies and protocols as an attribute of the PFN interface of the present invention, as well as, a combination, process and control center for additional carry on wireless devices. **Joao appears to only have one wireless connection.** In addition, the present claims recite the capacity to translate between wireless protocols as a universal communicator function capable to relay and route.

Accordingly, Applicant respectfully submits that claim 1 is patentably distinguishable over the prior art.

In addition, currently amended claim 2 is also asserted to be patentably distinguishable, based on the combination of features recited therein.

Further, dependent claims 2-36, incorporate the limitations of independent Claim 1, and therefore, are asserted to be patentable over the prior art for the reasons discussed above, as well as for the separate limitations recited in each of the claims, when each is interpreted as a whole. Withdrawal of this rejection is also requested.

## **CONCLUSION**

Applicant respectfully submits that, as described above, the cited prior art does not show or suggest the combination of features recited in the claims. Applicant does not concede that the cited prior art shows any of the elements recited in the claims. However, Applicant has provided specific examples of elements in the claims that are clearly not present in the cited prior art.

Applicant strongly emphasizes that one reviewing the prosecution history should not interpret any of the examples Applicant has described herein in connection with distinguishing over the prior art as limiting to those specific features in isolation. Rather, Applicant asserts that it is the combination of elements recited in each of the claims, when each claim is interpreted as a whole, which is patentable. Applicant has emphasized certain features in the claims as clearly not present in the cited references, as discussed above. However, Applicant does not concede that other features in the claims are found in the prior art. Rather, for the sake of simplicity, Applicant is providing examples of why the claims described above are distinguishable over the cited prior art.

Applicant wishes to clarify for the record, if necessary, that the claims have been amended to expedite prosecution and/or explicitly recite that which is already present within the claims. Moreover, Applicant reserves the right to pursue the original and/or complimentary subject matter recited in the present claims in a continuation application.

Any claims that have been cancelled are hereby cancelled without prejudice or disclaimer, and Applicant reserves the right to further prosecute these claims in continuing

applications. In addition, Applicant has attempted to claim all embodiments disclosed in the present application, and no disclaimer of any embodiments is hereby intended by the presently pending claims.

Any narrowing amendments made to the claims in the present Amendment are not to be construed as a surrender of any subject matter between the original claims and the present claims; rather merely Applicant's best attempt at providing one or more definitions of what the Applicant believes to be suitable patent protection. In addition, the present claims provide the intended scope of protection that Applicant is seeking for this application. Therefore, no estoppels should be presumed, and Applicant's claims are intended to include a scope of protection under the Doctrine of Equivalents and/or statutory equivalents, i.e., all equivalents that are substantially the same as the presently claimed invention.

Further, Applicant hereby retracts any arguments and/or statements made during prosecution that were rejected by the Examiner during prosecution and/or that were unnecessary to obtain allowance, and only maintains the arguments that persuaded the Examiner with respect to the allowability of the patent claims, as one of ordinary skill would understand from a review of the prosecution history. That is, Applicant specifically retracts statements that one of ordinary skill would recognize from reading the file history were not necessary, not used and/or were rejected by the Examiner in allowing the patent application.

For all the reasons advanced above, Applicant respectfully submits that the rejections have been overcome and should be withdrawn.

For all the reasons advanced above, Applicant respectfully submits that the Application is in condition for allowance, and that such action is earnestly solicited.

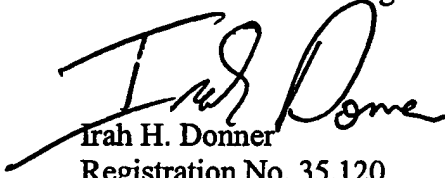
**AUTHORIZATION**

The Commissioner is hereby authorized to charge any additional fees, which may be required for this Amendment, or credit any overpayment to Deposit Account No. 08-0219

In the event that an Extension of Time is required, or which may be required in addition to that requested in a petition for an Extension of Time, the Commissioner is requested to grant a petition for that Extension of Time which is required to make this response timely and is hereby authorized to charge any fee for such an Extension of Time or credit any overpayment for an Extension of Time to Deposit Account No. 08-0219.

Respectfully submitted,

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